

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO

JENNY I. GARCIA,

Plaintiff,

vs.

COMMISSIONER OF SOCIAL
SECURITY ADMINISTRATION,

Defendant.

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CASE NO. 1:19-cv-897

OPINION & ORDER
[Resolving Doc. [1](#)]

JAMES S. GWIN, UNITED STATES DISTRICT JUDGE:

Jenny Garcia seeks judicial review of the Social Security Administration Commissioner's final decision denying her disability insurance benefits and supplemental security income benefits applications.¹

On April 21, 2020, Magistrate Judge James R. Knepp II issued a Report and Recommendation ("R&R") recommending that the Court affirm in part and reverse in part the Commissioner's final decision denying Plaintiff's application.² Any objections to the R&R were due by May 5, 2020, and neither party objected.

The Federal Magistrates Act requires district courts to conduct a *de novo* review only of objected-to portions of a R&R.³ Absent objection, district courts may adopt a R&R without review.⁴

¹ Doc. [1](#). Plaintiff and Defendant filed merits briefs. Docs. [12](#), [16](#). Plaintiff filed a reply brief. Doc. [17](#).

² Doc. [18](#).

³ 28 U.S.C. § 636(b)(1).

⁴ *Thomas v. Arn*, 474 U.S. 140, 149–52 (1985). Failure to timely object may waive a party's right to appeal the district court's order adopting the R&R. *Id.* at 155; *United States v. Walters*, 638 F.2d 947, 949–50 (6th Cir. 1981).

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Because no party has objected to the R&R, this Court may adopt Magistrate Judge Knepp's R&R without further review. Moreover, having conducted its own review of the record, the Court agrees with the R&R's conclusions.

Accordingly, the Court **ADOPTS** Magistrate Judge Knepp's R&R, and **AFFIRMS IN PART** and **REVERSES IN PART** the Commissioner's final decision.

IT IS SO ORDERED.

Dated: July 2, 2020

s/ James S. Gwin
JAMES S. GWIN
UNITED STATES DISTRICT JUDGE